

Revision: HCFA-PM-95-1 (MB)
March 1995

SUPPLEMENT 10 to ATTACHMENT 2.6-A
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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

The agency does not apply the trust provisions in any case in which the agency determines that such application would work an undue hardship.

The following criteria will be used to determine whether the agency will not count assets transferred because doing so would work an undue hardship:

When application of trust provisions would deprive an individual of medical care such that his health or life would be endangered or deprive the individual of food, clothing, shelter, or other necessities of life.

Under the agency's undue hardship provisions, the agency exempts the funds in an irrevocable burial trust.

The agency does not impose a limit as long as the burial contract itemizes each burial item and or service.

TN No. 95-06
Supersedes
TN No. 86-19

Approval Date 6-14-95

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Revision: HCFA-PM 91-8 (MB)
October 1991

SUPPLEMENT 11 TO ATTACHMENT 2.6-A
Page 1
OMB No.:

State/Territory: North Carolina

Citation

Condition or Requirement

COST EFFECTIVENESS METHODOLOGY FOR
COBRA CONTINUATION BENEFICIARIES

1902(u) of
the Act

Premium payments are made by the agency only if such payments are likely to be cost effective. The agency specifies the guidelines used in determining cost effectiveness by selecting one of the following methods:

 The methodology as described in SMM section 3598.

 Another cost-effective methodology as described below.

TN No. 92-27

Supersedes

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Effective Date 7/1/92

TN No. NEW

HCFA ID: 7985E

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SUPPLEMENT 12 to ATTACHMENT 2.6-A
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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

ELIGIBILITY UNDER SECTION 1931 OF THE ACT

The State covers low-income families and children under section 1931 of the Act.

The following groups were included in the AFDC State plan effective July 16, 1996:

x Pregnant women with no other eligible children.

x AFDC children age 18 who are full-time students in a secondary school or in the equivalent level of vocational or technical training.

== In determining eligibility for Medicaid, the agency uses the AFDC standards and methodologies in effect as of July 16, 1996, without modification.

== In determining eligibility for Medicaid, the agency uses the AFDC standards and methodologies in effect as of July 16, 1996, with the following modifications:

== The agency applies lower income standards which are no lower than the AFDC standards in effect on May 1, 1988, as follows:

== The agency applies higher income standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows:

== The agency applies higher resource standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows:

TN No. 97-02
Supersedes
TN No. 90-18

Approval Date 6/4/97

Effective Date 01-01-97

x The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

1. Disregards the first \$2,000.00 of otherwise countable resources for applicants and recipients.
2. Disregards the value of one motor vehicle per adult in addition to disregard of \$2,000.00 of otherwise countable resources.
3. Disregards the value of real property,
4. Disregards trust funds, burial contracts and retirement accounts.
5. For budgeting purposes, prorates contract income over the period of time the contract is intended to cover. In cases where this methodology gives a more restrictive outcome than the July 16, 1996 methodology, the July 16, 1996 methodology is used.
6. Exclude all cash assistance payments made under the State TANF plan.
7. Disregards 100% of earnings for 3 months, for applicants and recipients who begin a permanent job where they will work at least 20 hours per week.
8. Disregards 27.5% of the caretaker relative's earned income. If this disregard results in a more restrictive outcome than the July 1, 1996 methodology, the July 1996 methodology will be applied.
9. Disregards the value of food not eaten by a case member who is temporarily absent from the home.

The income and/or resource methodologies that the less restrictive methodologies replace are as follows:

1. Resource limit of \$1000.00 regardless of family size. No otherwise countable resources may be disregarded.
2. Disregards \$1,500.00 equity value of one vehicle.
3. Counts the value of real property.
4. Counts the value of trust funds, revocable burial contracts and retirement accounts if the retirement funds can be withdrawn in a lump sum.
5. Contract income budgeted using base period of one month.
6. Item 8, above, replaces a methodology that disregards \$90 from the earned income of any member of the case plus costs for child/incapacitated adult care up to \$200 for child under 2 and \$175 for each child age 2 and over and incapacitated adult.
7. Item 9, above, replaces a methodology that counts as income the value of food not eaten by a case member who is temporarily absent from the home.

- The agency terminates medical assistance (except for certain pregnant women and children) for individuals who fail to meet TANF work requirements.
- x The agency continues to apply the following waivers of provisions of Part A of Title IC in effect as of July 16, 1996, or submitted prior to August 22, 1996 and approval by the Secretary on or before July 1, 1997.

Waiver of sections 402(a)(41), 45 CFR 233.100 and 45 CFR 233.100(c) through which the State eliminated the 100 hour rule when determining the eligibility of two parent families. This allows the deprivation requirement to be met even if the principal earner is employed more than the 100 hours.

State Plan Under Title XIX of the Social Security Act

State: North Carolina

ELIGIBILITY UNDER SECTION 1931 OF THE ACT

The State covers low-income families and children under Section 1931 of the Act.

X The agency used less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

All wages paid by the Census Bureau for temporary employment related to Census 2000 activities are excluded.

— The income and/or resource methodologies that the less restrictive methodologies replace are as follows:

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December 1997

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OMB No.: 0938-0673

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

VARIATIONS FROM THE BASIC PERSONAL NEEDS ALLOWANCE

SPECIAL PERSONAL NEEDS ALLOWANCE FOR PERSONS WITH GREATER NEED:

In addition to the standard personal needs allowance, the sum of the following, not to exceed the income maintenance level provided by North Carolina statute for a single individual (or a couple, if in the same LTC room) in a private living arrangement.

1. Mandatory non-discretionary deductions from income.
2. An incentive allowance for individual who are regularly engaged in work activities as a part of a development plan and for whom retention of additional income contributes to their achievement of independence. The formula for the incentive is as follows:

<u>Monthly Net Wages</u>	<u>Monthly Incentive Allowance</u>
\$1 to \$100	All up to \$50
\$101 to \$200	\$80
\$201 to \$300	\$130
\$301 to greater	\$212

3. Individuals, for whom a guardian of the estate has been named by the court, shall be allowed, for payment of guardianship fees whichever of the following amounts is less:
 - a. 10% of total monthly income from all sources, both earned and unearned;
 - OR
 - b. \$25 per month

TN No. 98-03

Supersedes

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TN No. NEW

Revision: MSA-PI-75-3
August 20, 1974

Attachment 2.6-C

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State North Carolina

ELIGIBILITY CONDITIONS AND REQUIREMENTS FOR THE MEDICALLY NEEDY

I. Non-financial eligibility

For families and children, and aged, blind, and disabled individuals, the non-financial eligibility conditions are the same as those applicable to the categorically needy as described in Section II of ATTACHMENT 2.6-A, except with respect to blind and disabled individuals as described in Section C of ATTACHMENT 2.2-A.

II Financial eligibility

A. Treatment of income

1. Income levels by family size

- a. The minimum net income level for maintenance is as described below and as indicated in the table below:

 X 1. The higher of the payment standards generally used as a measure of financial eligibility in the money payment programs, as specified in 45 CFR 248.3(c)(1)(ii).

 X This level does not exceed 133 1/3 percent of the highest amount ordinarily paid to an AFDC family of comparable size, as specified in 45 CFR 248.4(b)(4).

 This level exceeds 133 1/3 percent of the highest amount ordinarily paid to an AFDC family of comparable size, as specified in 45 CFR 248.4(b)(4). The State agency has methods for excluding from its claim for Federal financial participation payments of amounts equivalent to those in columns (3) and (5) in the table below.

Rec'd _____

OPC 11# 74-66

Dated _____

R.O. Action 3/12/75

EFF. Date 1/1/74

Obsoleted by _____

Dated _____

State North Carolina

 ii. A level higher than that specified in Item
i above.

 This level does not exceed 133 1/3
Percent of the highest amount ordinarily
paid to an AFDC family of comparable size,
as specified in 45 CFR 248.4(b)(4).

 This level exceeds 133 1/3 percent of
the highest amount ordinarily paid to an
AFDC family of comparable size, as
specified in 45 CFR 248.4(b)(4). The State
agency has methods for excluding from its
claim for Federal financial participation
payments of amounts equivalent to those in
columns (3) and (5) in the table below.

 iii. A level lower than that specified in Item I
above, but no lower than 133 1/3 percent of the
highest amount ordinarily paid to an AFDC family
of comparable size, as specified in 45 CFR
248.4(b)(4).

a. The State agency uses urban and rural differentials in
establishing the amounts of net income protected for
maintenance.

 Yes. These amounts are indicated in columns (2)
and (4) of the table below.

 x No. The net income levels for all medically
needy individuals are as stated in column 2 of the
table below.

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August 20, 1974

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Page 3

State North Carolina

The income levels for the medically needy are specified below:

Family Size	Semi-Annual Net income level protected for maintenance ____ Urban only <u> X </u> urban only	Semi-Annual Amount by which Column (2) exceeds limits specified in 45 CFR 248.4	Net income level for person living in rural areas	Amount by which Column (4) exceeds limits specified in 45 CFR 248.4
(1)	(2)	(3)	(4)	(5)
1	\$ 1050	\$	\$	\$
2	\$ 1350	\$	\$	\$
3	\$ 1550	\$	\$	\$
4	\$ 1700	\$	\$	\$
5	\$ 1850	\$	\$	\$
6	\$ 2000	\$	\$	\$
7	\$ 2150	\$	\$	\$
8	\$ 2250	\$	\$	\$
9	\$ 2350	\$	\$	\$
10	\$ 2450	\$	\$	\$
For each additional Add:	\$ 100	\$	\$	\$

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DATED 8-7-79

R.O. ACTION DATE 10-15-79

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DATED _____

State North Carolina

2. Income disregards

a. In determining net income for families and children, the disregards and set-asides and exemption of work-related expenses in the State's approved AFDC plan are applied.

b. In determining net income for aged individuals, the following disregards are applied

 The disregards of the SSI program.

 The disregards of the State supplementary payment program

 X The disregards of the SSI program, except for the restrictions specified in section II B-1 of ATTACHMENT 2.6-A

c. In determining net income for blind individuals, the following disregards are applied:.

 The disregards of the SSI program.

 The disregards of the State supplementary payment program.

 X The disregards of the SSI program, except for the restrictions specified in section II-B-2 of ATTACHMENT 2.6-A.

d. In determining net income for disabled individuals, the following disregards are applied:

 The disregards of the SSI program.

 The disregards of the State supplementary payment program

 X The disregards of the SSI program, except for the restrictions specified in section II-B-3 of ATTACHMENT 2.6-A.

Rec'd _____ OPC-11 # 74-66 Dated _____

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State North Carolina

3. Handling of Excess Income

- a. Income in excess of the amount protected for maintenance, as specified in the table on page 3 of this ATTACHMENT is considered as available for payment of medical care and services. The State agency measures available income for the following period to determine the amount of excess income applicable to the cost of medical care and services:

6 months

- b. Excess income may be applied to medical and remedial care and services not encompassed in the plan:

X Without limitation or exceptions

___ With the exception of the care and service specified below:

B. Treatment of resources

1. The resource levels:

___ Are the same as the level specified in the State's approved AFDC plan or the SSI program whichever is higher for a family of a particular size.

___ Exceed the level specified in the State's approved AFDC plan or the SSI program, whichever is higher for a family of a particular size.

X A supplement to this ATTACHMENT describes the limitations imposed on resources for the medically needy.

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DATED _____

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August, 1980

Attachment 2.6-C
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State: North Carolina

2. The method(s) checked below is used in handling resources in excess of those specified above:

 Excess non-income producing property
(except the home) must be disposed of

 X Any excess resources render the individual
ineligible

 Other described as follows:

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Supersedes
TN. #74-66

dated 10/2/80

HHS Approval 10/10/80

Effective 9/1/80

Resource Levels

<u>Number of Persons</u>	<u>Resources Allowed Held in Reserve</u>
1	\$1,000
2	\$1,100
3	\$1,150
4	\$1,200
5	\$1,250
6	\$1,300
7	\$1,350
8	\$1,400

For each additional person add \$50 up to maximum of \$2,000.

Items Counted in Reserve

1. Cash
2. Liquid assets - savings, checking accounts, stocks and bonds, cash value of life insurance policies when total face value of policies in possession of the person exceeds \$1,500, and other investments.
3. Equity in real property not used as a home or not producing income.
4. Equity in the loan value of non-essential motor vehicles
5. Equity value of \$1,000 or less in essential motor vehicles.

Items Exempt from the Reserve

1. Real property used as a home- No maximum established.
2. Real property producing income.
3. Personal clothing and effects.
4. Essential household furnishings and appliances.
5. Equity value of \$1,000 or less in essential motor vehicles.
6. Cash value of life insurance policies when the total face value of all policies does not exceed \$1,500.

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55-74-66

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August 20, 1974

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State North Carolina

The resource limitations are the same for the medically needy as for the categorically needy except that burial plots are excluded as a resource for the medically needy and any property producing any income is excluded.

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OBSOLETE BY _____ DATED _____